

REMARKS

This Amendment is filed in response to the Office Action dated July 14, 2004, which has a shortened statutory period set to expire October 14, 2004. A one-month extension, extending the period of response until November 14, 2004, is requested in a petition filed herewith.

Rejections Under 35 U.S.C. 103

Claim 12 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Perera in view of O'Brien. Applicant respectfully traverses this rejection.

Perera does not teach or suggest "**playing the subset of spoken utterances over the telephone input to solicit a voice input**", as recited by amended Claim 12. Support for the amendment to Claim 12 is found in the specification as originally filed at least at page 18 (in the "example dialogue"). No new matter is added. "[P]laying the subset of spoken utterances" as recited in Claim 12 beneficially alerts a user to the potential matching items, which can increase subsequent voice recognition accuracy.

The Examiner cites element 1120 from Fig. 11 of Perera as teaching this limitation. However, element 1120 of Perera merely specifies a basic "PROMPT FOR THE WORD" and nowhere in the associated text in the specification of Perera is "playing the subset of spoken utterances" as recited by Claim 12 described or implied. O'Brien does not remedy this deficiency of Perera.

For at least this reason, Claim 12 is patentable under 35 U.S.C. 103(a) over Perera in view of O'Brien. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the rejection of Claim 12.

CONCLUSION

Claim 12 is pending in the present application. Reconsideration and allowance of this claim is respectfully requested.

If there are any questions, please telephone the undersigned at (408) 451-5903 to expedite prosecution of this case.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited with the United States Postal Service as FIRST CLASS MAIL in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on November 15, 2004.

11/15/2004 Rebecca A. Baumann
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